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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/052,171	01/17/2002	Shinji Negishi	09792909-5310	3180

26263 7590 02/21/2007
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EXAMINER

STEVENS, ROBERT

ART UNIT	PAPER NUMBER
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2162

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/052,171

Applicant(s)

NEGISHI ET AL.

Examiner

Robert Stevens

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-86 is/are pending in the application.
- 4a) Of the above claim(s) 28-76 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 and 77-86 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. The Office withdraws the previous rejections of the claims under 35 USC §§101, 112-2nd paragraph and 103(a), in light of the amendment. However, the Office sets forth new rejections of the claims under 35 USC §§101, 112-2nd paragraph and 103 (a), in light of the amendment.

Response to Arguments

2. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues on page 18 that the cited references do not teach the newly added limitations.

The Office has withdrawn the previous rejections, and cited the Agranat reference for its teachings of the new limitations.

Applicant further argues on pages 18-19, that, regarding claim 22, the cited prior art does not teach the claimed limitation because the Britton reference describes a script interpreter that preemptively executes the scripts in the document "without notifying the client". The Office respectfully disagrees, and contends that language requiring client notification does not appear in the claims. Also, the Britton reference does teach that the web server, which hosts the script interpreter functionality as shown in the Britton Figure 2, does return a document to the client browser. Additionally, Harrington discloses in col. 6 lines 57-60 an embodiment involving the

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substitution of JavaScript 1.2 with server side scripts, which are executed on a server. Thus, the references as a whole teach the claimed limitation.

Applicant also asserts on page 19 that motivation is lacking because the script described in the Britton reference is intended to be executed on the server, not the client. The Office respectfully disagrees, however, noting first that the claim language and Applicant's arguments (see paragraph immediately above this paragraph), indicate that execution on a server also occurs for Applicant's subject matter. It is additionally noted that these references are from the same field of endeavor, namely web-based programming, and therefore are properly combined.

For at least these reasons, the Office asserts the rejections of the claims as set forth below.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/16/2006 has been entered.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. **Claims 1-5 are rejected under 35 U.S.C. 101** because the claimed invention is directed to non-statutory subject matter.

To be statutory, a claimed computer-related process must either: (A) result in a physical transformation outside the computer for which a practical application is either disclosed in the specification or would have been known to a skilled artisan, or (B) be limited to a practical application with useful, concrete and tangible result.

A practical application can be either physical transformation or a useful, concrete and tangible result.

Independent claim 1: The limitations of this claim merely recite an intended use for a memory and code. There is no requirement that these components actually perform the actions indicated by the intended use statements. As such, this claim is non-statutory under 35 USC 101, because the invention recited therein does not produce a useful, concrete and tangible result.

Claims 2-5 depend upon claim 1, and do not correct the deficiencies of that claim. These claims are likewise rejected.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. **Claims 1-27 and 77-86 are rejected under 35 U.S.C. 112, second paragraph**, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1: First, there appear to be missing essential steps/elements, as the claim requires script and document elements, but there is no positive recitation of a breaking out of these elements from the received “receiving data”. Additionally, lines 5-6 require “substituting a script calling portion in the document”, but a script calling portion was not recited as being located or determined to be in the document. Also, the preamble no longer seems to match the body of the claim, as the claim now is directed toward device control. Second, there is a lack of antecedent basis for “the script extracted from the receiving data”, as there was no extraction step recited.

Regarding claims 2 and 3: First, it is unclear whether an embedded script or an attached script is being claimed in claim 2. Additionally, the meaning/purpose of each of claims 2 and 3 is unclear. It is noted that claim 1 seems to indicate that a script and a document are components of the same structure. See line 3 reciting an extraction of “the script” from “the receiving data”.

However, claim 2 seems to merely reiterate this requirement, whereas claim 3 seems to contradict such a requirement.

Regarding claim 5: It is unclear what “the script” refers to, especially because parent claim 1 has already indicated that the memory is storing “the script”.

Additionally, claims 2-5 and 77-82 are dependent upon claim 1, **and claim 3** is further dependent upon claim 2, and therefore likewise rejected.

Claims 6-9 are substantially similar to claims 1-5, and therefore likewise rejected.

Regarding claim 10: It is unclear what is being claimed in lines 5-6, which states that “a document and a script” are received, and then “extracting at least the script from the document and the script”. Why is it necessary to “extract” the script, when it is a separate entity? From what is it extracted? There also appears to be missing essential elements/steps, as lines 6-7 require “substituting a script calling portion in the document”, but a script calling portion was not recited as being located or determined to be in the document. Also, the preamble no longer seems to match the body of the claim, as the claim now is directed toward device control.

Regarding claim 12: Line 2 uses the term “or”. it is unclear which option is being claimed. Additionally, it is unclear whether the term “documents” in line 2 refers to “a document” in line 5 of claim 10.

Claim 13 is substantially similar to claim 2 and therefore likewise rejected.

Additionally, claims 11-21 and 83-84 are dependent upon claim 10, and **claims 14-15** are further dependent upon claim 13, and therefore likewise rejected.

Regarding claim 22: It is unclear what is being claimed in lines 5-6, which states that “a document and a script” are received, and then “extracting at least the script from the document and the script”. Why is it necessary to “extract” the script, when it is a separate entity? From what is it extracted? There also appears to be missing essential elements/steps, as lines 8-9 require “substituting a script calling portion in the document”, but a script calling portion was not recited as being located or determined to be in the document. It is also unclear where this substitution is to take place (i.e., where is this “script calling portion” located?). Also, the preamble no longer seems to match the body of the claim, as the claim now is directed toward device control.

Claim 24 is substantially similar to claim 2 and therefore likewise rejected.

Regarding claim 26: Line 2 uses the term “or”. It is unclear which option is being claimed.

Additionally, claims 23-27 are dependent upon claim 22, and claims 25-26 are further dependent upon claim 24, and therefore likewise rejected.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 1-10, 12-22, 24-27 and 77-86 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Britton (US Patent No. 6,591,289, filed Jul. 27, 1999 and issued Jul. 8, 2003, hereafter referred to as “Britton”) in view of Harrington et al (US Patent No. 6,775,820, filed Nov. 29, 2000 and issued Aug. 10, 2004, hereafter referred to as “Harrington”) and Ian Douglas Agranat (“Engineering Web Technologies for Embedded Applications”, IEEE Internet Computing, Vol. 2, Issue 3, May/Jun 1998, pp. 40-45, hereafter referred to as “Agranat”).

Regarding independent claim 1, Britton discloses: ***A conversion apparatus receiving a document and a script as receiving data,*** (See the Britton Abstract, disclosing a client computer providing a template file, including a script, to a server.) ***comprising: a memory for storing at least the script extracted from the receiving data, the memory being located on a server configured to receive and send data to a client;*** (See the Britton Abstract and Figure 3 #44 and #46, disclosing the use of memory in the form a files and database servers. It is further inherent that the Figure 3 #42 Web Server had memory for storing the script in order to execute that script. see also Figure 3 #48, disclosing a script interpreter for executing a script and outputting a converted document #45c', which was sent to the client #60 in response to the client's request #602.)

However, Britton does not explicitly disclose script substitution, as claimed. Harrington, though, teaches ***computer-readable code for substituting a script calling portion in the document with a portion for calling the script stored in said memory.*** (See the Harrington Abstract and Figure 5 [especially #520 and #524], disclosing a process for recoding of scripts and which discloses script conversions, such as from JavaScript to Visual Basic Script. Additionally, see the Harrington reference at column 7 lines 30-35, which provides an example of an insertion of a script calling line into an HTML file, after identification of JavaScript code [at column 5 lines 24-26, for example]. This script calling portion is represented as a "meta http-equiv" statement

that calls a cgi script file that was assigned to the "URL" attribute of the "meta http-equiv" statement.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Harrington for the benefit of Britton, because to do so would have allowed a programmer to implement applications that were compatible with browsers running on an OS/2 platform, as taught by Harrington in the Abstract. These references were all applicable to the same field of endeavor, i.e., web-based programming.

However, Britton does not explicitly disclose the remaining limitations as claimed. Agranat, though, teaches ***computer-readable code configured to execute the script stored in memory in response to a request from the client, wherein the execution of the script generates a device control signal.*** (See the Agranat page 44 Figure 7, teaching the use of a script for setting a temperature setting.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Agranat for the benefit of Britton in view of Harrington, because to do so would have allowed a system designer to implement a Web interface for remote diagnostics of products in the field, as taught by Agranat in the second paragraph of page 40. These references were all applicable to the same field of endeavor, i.e., web-based programming.

Regarding claim 2, Britton does not explicitly disclose embedding a script in a document, as claimed. Harrington, though, discloses: *wherein the script is embedded in or attached to the document*. (See the Abstract of Harrington, discussing the embedding of JavaScript in a document.)

Regarding claim 3, Britton discloses: *wherein the document and script are separately provided*. (See Britton in column 7 lines 38-42, discussing separating a document and script by having the document reference the script.)

Regarding claim 4, Britton discloses: *wherein the conversion apparatus is a relay server for sending and receiving data to/from a client*. (See Britton in Figure 3, showing a web server #42 for relaying data to/from client #60.)

Regarding claim 5, Britton discloses: *wherein memory stores the document and the script*. (See Britton in Figure 3, showing a web server #42 – it having been implicit that such servers had memory for storing documents/scripts in order that the servers could execute these documents/scripts.)

Claims 6-9 are directed to a method implemented by the apparatus of claims 1-3 and 5, respectively. As such, these claim are substantially similar to claims 1-3 and 5, respectively, and therefore likewise rejected.

Regarding independent claim 10, Britton discloses: ***A script conversion system comprising a relay server for sending and receiving data to and from at least one client, said script conversion system being used for requesting a document and displaying the requested document by said client,*** (See the Britton Abstract, discussing a client/server arrangement for providing a template file that includes a script.) ***said relay server*** (See Britton Figure 3 #42 Web Server.) ***comprising: receiving a document and a script,*** (See the Britton Abstract, discussing a system for providing a template file that includes a script) ***storing the script in storage means,*** (See Britton Fig. 3, teaching the use of memory in the form of file #44 and database #46 servers. It was also inherent that the Web server #42, would have memory for storing the script in order to execute that script.) ***and outputting a resulting document as a converted document;*** (See Britton Fig. 3 #48, teaching a script interpreter for executing a script and outputting a converted document #45c', which is sent to the client #60 in response to client's request #602.) ***and script execution means for executing the script, wherein said relay server sends the converted document to said client, and a script called by said client is executed by said script execution means.*** (See Britton Fig. 3 #48, teaching a script interpreter for executing a script and outputting a converted document #45c', which is sent to the client #60 in response to client's request #602.)

However, Britton does not explicitly disclose script substitution, as claimed. Harrington, though, teaches ***conversion means for extracting at least the script***

from the document and the script and storing the script in storage means, substituting a script calling portion in the document with a portion for calling the script stored in said storage means, (See the Harrington Abstract and Figure 5 [especially #520 and #524], disclosing a process for recoding of scripts and which discloses script conversions, such as from JavaScript to Visual Basic Script. Additionally, see the Harrington reference at column 7 lines 30-35, which provides an example of an insertion of a script calling line into an HTML file, after identification of JavaScript code [at column 5 lines 24-26, for example]. This script calling portion is represented as a “meta http-equiv” statement that calls a cgi script file that was assigned to the “URL” attribute of the “meta http-equiv” statement.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Harrington for the benefit of Britton, because to do so would have allowed a programmer to implement applications that were compatible with browsers running on an OS/2 platform, as taught by Harrington in the Abstract. These references were all applicable to the same field of endeavor, i.e., web-based programming.

However, Britton does not explicitly disclose the remaining limitations as claimed. Agranat, though, teaches ***wherein the execution of the script generates a device control signal.*** (See the Agranat page 44 Figure 7, teaching the use of a script for setting a temperature setting.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Agranat for the benefit of Britton in view of Harrington, because to do so would have allowed a system designer to implement a Web interface for remote diagnostics of products in the field, as taught by Agranat in the second paragraph of page 40. These references were all applicable to the same field of endeavor, i.e., web-based programming.

Regarding claim 12, Britton discloses: *storing documents on servers*. (See Britton in Figure 4, showing file server #44 having documents for a client to view, and database server #46 containing records of past client interactions.)

Claim 13 is substantially similar to claim 2, and therefore likewise rejected.

Regarding claim 14, Britton discloses the storing and display of scripts. (See Britton Figure 2, teaching a file server #44 and database server #46, each of which stores files. The Examiner respectfully notes that the specific file format (e.g., HTML document, script, etc.) of the data does not affect the storage capability of the storage devices. See Britton Figure 2 #60, showing a browser for display.)

However, Britton does not explicitly disclose script substitution, as claimed. Harrington, though, teaches script substitution. (See the Harrington Abstract and Figure 5 [especially #520 and #524], disclosing a process for recoding of scripts and which discloses script conversions, such as from JavaScript to Visual Basic Script. Additionally, see the Harrington reference at column 7 lines 30-35, which provides an example of an insertion of a script calling line into an HTML file, after identification of JavaScript code [at column 5 lines 24-26, for example]. This script calling portion is represented as a "meta http-equiv" statement that calls a cgi script file that was assigned to the "URL" attribute of the "meta http-equiv" statement.)

Regarding claims 15-16, Britton discloses storing documents on multiple servers and the display of documents. (See Britton Figure 2, teaching a file server #44 and database server #46, each of which stores files. See Britton Figure 2 #60, showing a browser for display.)

Regarding claim 17, Britton discloses execution and display of documents. (See Britton in Figure 3 #45c', showing the returning of a server-executed document, and in column 8 lines 1-7, discussing sending #45c' to the client's browser.)

Regarding claim 18, Britton discloses a client authentication process. (See Britton in Figure 4, showing a client login GUI incorporating a user ID and password. It was implicit that if one were employing a login screen, that one was authenticating access against a list of allowed users.)

Regarding claim 19, Britton discloses the use of a database server having, inter alia, a list of records concerning customer/client orders. (See Britton in column 8 lines 33-54, describing an on-line ordering system. It was implicit that an ordering system would have been tied in with a billing system, so that clients placing orders for goods/services could also pay for those services. Britton further discloses the returning of a server-executed document as #45c' in Fig. 3 and in col. 8 lines 1-7, which discusses sending 45c' to the client's browser. It was also inherent that a client device would have been capable of executing that received document, especially in light of Fig. 3 client browser #65, which was executed on client #60, and which operated on documents such as #45c'.)

Regarding claim 20, Britton discloses accounting means. (See Britton in Figure 4 #49, showing a database server for storing database records. The records of element #49 provide a mechanism for storing client orders, as explained in col. 9 lines 19-27. Further, col. 9 lines 1-14 describe the updating of a customer account based on transactions made by the customer.)

Regarding dependent claim 21, Britton discloses a server for storing documents in advance. (See Britton Figure 3 #44, showing a file server. File servers are well-known for storing files in advance.)

Regarding independent claim 22, Britton discloses: *A script conversion method for requesting from at least one client to a document server to send a document via a relay server and displaying the requested document in said client and for displaying the received document*, (See the Britton Abstract, discussing a client/server arrangement for providing a template file that includes a script) *receiving the document and a script from said document server by said relay server*; (See Britton Figure 3 #42 Web Server.) *storing the script in storage means*; (See Britton Fig. 3, teaching the use of memory in the form of file #44 and database #46 servers. It was also inherent that the Web server #42, would have memory for storing the script in order to execute that script.) *outputting a resulting document; sending the document to said client*; (Britton further discloses in Fig. 3 #48 a script interpreter for executing a script and outputting a converted document #45c', which is sent to the client #60 in response to client's request #602, and subsequently displayed in a browser) *and executing, on the relay server, a script in the document called by said client*. (See Britton Fig. 3 #48, teaching a script interpreter for executing a script and outputting a converted document #45c', which is sent to the client #60 in response to client's request #602.)

However, Britton does not explicitly disclose script conversion, extraction and substitution, as claimed. Harrington, though, teaches *conversion means for extracting at least the script from the document and the script and storing the script in storage means, substituting a script calling portion in the document with a portion for calling the script stored in said storage means*, (See the Harrington Abstract and Figure 5 [especially #520 and #524], disclosing a process for recoding of

scripts and which discloses script conversions, such as from JavaScript to Visual Basic Script. Additionally, see the Harrington reference at column 7 lines 30-35, which provides an example of an insertion of a script calling line into an HTML file, after identification of JavaScript code [at column 5 lines 24-26, for example]. This script calling portion is represented as a "meta http-equiv" statement that calls a cgi script file that was assigned to the "URL" attribute of the "meta http-equiv" statement.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Harrington for the benefit of Britton, because to do so would have allowed a programmer to implement applications that were compatible with browsers running on an OS/2 platform, as taught by Harrington in the Abstract. These references were all applicable to the same field of endeavor, i.e., web-based programming.

However, Britton does not explicitly disclose the remaining limitations as claimed. Agranat, though, teaches ***wherein the execution of the script generates a device control signal***. (See the Agranat page 44 Figure 7, teaching the use of a script for setting a temperature setting.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Agranat for the benefit of Britton in view of Harrington, because to do so would have allowed a system designer to implement a Web interface for remote diagnostics of products in the field, as taught by Agranat in the second paragraph of page 40. These references were all applicable to the same field of endeavor, i.e., web-based programming.

Claim 24 is substantially similar to claim 2, and therefore likewise rejected.

Regarding dependent claim 25, Britton discloses storing of documents on servers. (See Britton Figure. 2, showing a file server #44 and a database server #46. The Examiner respectfully notes that the specific file format (e.g., HTML document, script, etc.) of the data does not affect the storage capability of the storage devices.)

However, Britton does not explicitly teach script substitution, as claimed. Harrington, though, discloses the recoding of scripts. (See the Harrington Abstract and Fig. 5 elements #520 and 524, teaching that this recoding process encompasses script conversions, such as from JavaScript to Visual Basic Script. This process is further taught in col. 6 lines 31-50, describing an extraction process of the original script code. Additionally, see the Harrington reference at column 7 lines 30-35, which provides an example of an insertion of a script calling line into an HTML file, after identification of JavaScript code [at column 5 lines 24-26, for example]. This script calling portion is represented as a “meta http-equiv” statement that calls a cgi script file that was assigned to the “URL” attribute of the “meta http-equiv” statement.)

Claim 26 is substantially similar to claim 12, and therefore likewise rejected.

Regarding claim 27, Britton discloses storing of documents on multiple servers. (See Britton Figure 2, showing a file server #44 and a database server #46. The Examiner respectfully notes that the specific file format (e.g., HTML document, script, etc.) of the data does not affect the storage capability of the storage devices.)

Regarding dependent claim 77, Britton discloses executing a script upon a client request. (See Britton Figure 3 #48, showing a script interpreter.)

Regarding dependent claim 78, Britton discloses the recited limitations. (See Britton Figure 4, showing a web server #48 for receiving a client document/request and file server #44 and a data base server #46 for storing documents. It was well-known for computers, such as web server #48, to provide a caching capability.)

Regarding dependent claim 79, Britton discloses sending a document to a client. (See Britton Fig. 3 #45c'.)

However, Britton does not explicitly teach conversion and script substitution, as claimed. Harrington, though, discloses these limitations. (See the Harrington Abstract and Figure 5, teaching the recoding of scripts, i.e., portions of documents, in the Abstract and also in Fig. 5. It would have been inherent at the time of the invention to parse or extract the scripts of Harrington. Elements #520 and 524, as well as the Abstract, further indicate that this recoding process encompasses script conversions, such as from JavaScript to Visual Basic Script. This process is further taught in col. 6 lines 31-50, describing an extraction process of the original

script code. Additionally, see the Harrington reference at column 7 lines 30-35, which provides an example of an insertion of a script calling line into an HTML file, after identification of JavaScript code [at column 5 lines 24-26, for example]. This script calling portion is represented as a “meta http-equiv” statement that calls a cgi script file that was assigned to the “URL” attribute of the “meta http-equiv” statement.)

Regarding dependent claim 80, Britton discloses sending a document to a client. (See Britton Fig. 3 #45c’.)

However, Britton does not explicitly teach conversion and script substitution, as claimed. Harrington, though, discloses these limitations. (See the Harrington Abstract and Figure 5, teaching the recoding of scripts, i.e., portions of documents, in the Abstract and also in Fig. 5. It would have been inherent at the time of the invention to parse or extract the scripts of Harrington. Elements #520 and 524, as well as the Abstract, further indicate that this recoding process encompasses script conversions, such as from JavaScript to Visual Basic Script. This process is further taught in col. 6 lines 31-50, describing an extraction process of the original script code. Additionally, see the Harrington reference at column 7 lines 30-35, which provides an example of an insertion of a script calling line into an HTML file, after identification of JavaScript code [at column 5 lines 24-26, for example]. This script calling portion is represented as a “meta http-equiv” statement that calls a cgi script file that was assigned to the “URL” attribute of the “meta http-equiv” statement.)

Claims 81-82, 83-84 and 85-86 are substantially similar to claims 79-80, and therefore likewise rejected.

10. **Claims 11 and 23 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Britton (US Patent No. 6,591,289, filed Jul. 27, 1999 and issued Jul. 8, 2003, hereafter referred to as "Britton") in view of Harrington et al (US Patent No. 6,775,820, filed Nov. 29, 2000 and issued Aug. 10, 2004, hereafter referred to as "Harrington") and further in view of Ian Douglas Agranat ("Engineering Web Technologies for Embedded Applications", IEEE Internet Computing, Vol. 2, Issue 3, May/Jun 1998, pp. 40-45, hereafter referred to as "Agranat") and Bickmore et al (US Patent No. 6,857,102, provisionally filed Apr. 7, 1998 and issued Feb. 15, 2005, hereafter referred to as "Bickmore").

Regarding dependent claim 11, Britton does not explicitly teach the use of personal communication terminals, as claimed. Bickmore, though, teaches this limitation. (See the Bickmore Abstract and col. 4 lines 45-54, disclosing the well-known use of a personal communication terminal as a client device. The Examiner further notes that Bickmore teaches the use of scripting in col. 3 lines 29-30).

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Bickmore for the benefit of Britton in view of Harrington and Agranat, because to do so would have allowed a programmer to re-author documents designed for a larger display area for display on a smaller display area, as taught by Bickmore in col. 3 lines 60-63,

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and would have taught a designer to employ a server to provide transformation services to conserve wireless bandwidth and device memory, as further taught by Bickmore in col. 3 lines 5-9 in the context of col. 3 lines 22-24. These references were all applicable to the same field of endeavor, i.e., web-based programming.

Claim 23 is substantially similar to claim 11, and therefore likewise rejected.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Non-Patent Literature

Copeland, Dennis R., et al., "Which Web Development Tool Is Right For You", IT Pro, Vol. 2, Issue 2, Mar/Apr 2000, pp. 20-27.

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Calow	6,714,928
Andersen	5,999,941

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Stevens whose telephone number is (571) 272-4102. The examiner can normally be reached on M-F 6:00 - 2:30.

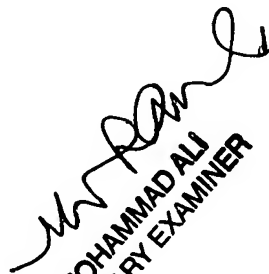
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Robert Stevens
Examiner
Art Unit 2162

February 12, 2007



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PRIMARY EXAMINER